

Message Text

CONFIDENTIAL

PAGE 01 BERLIN 05124 01 OF 03 271349Z

46

ACTION L-01

INFO OCT-01 SS-14 ISO-00 EUR-08 NSC-05 NSCE-00 SCA-01 SP-02

INR-05 CIAE-00 IO-03 PM-03 DODE-00 RSC-01 /044 W

----- 050277

R 271141Z JAN 75

FM AMEMBASSY BERLIN

TO SECSTATE WASHDC 294

INFO USMISSION USBERLIN

AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

USMISSION NATO

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY VIENNA

C O N F I D E N T I A L SECTION 1 OF 3 BERLIN 5124

LIMDIS

E.O. 11652: XGDS1

TAGS: PFOR, PINT, GE, GW, UK

SUBJECT: CONSULAR CONVENTION: BRITISH NEGOTIATING
EXPERIENCE

1. SUMMARY: EMBASSY OFFICERS MET WITH DCM AND HEAD OF
CHANCERY AT THE BRITISH EMBASSY TO DISCUSS BRITISH EXPERIENCE
IN NEGOTIATING A CONSULAR CONVENTION WITH EAST GERMANS.
THE MEETING TOOK PLACE JANUARY 22 AT BRITISH INVITATION.
DURING THE COURSE OF CONVERSATION, IT BECAME CLEAR THAT
THE BRITISH ARE CONCERNED THAT THEY HAVE NOT CONCLUDED
A CONVENTION WITH THE GDR BEFORE OTHER COUNTRIES, AND
BEFORE THE U.S. BEGINS NEGOTIATIONS ON THE SAME
SUBJECT. ONE PURPOSE OF THE MEETING WAS TO POINT OUT
DIFFICULTIES HMG MIGHT HAVE SHOULD USG INTRODUCE AN
OPTIONAL WAY (TO BRITISH PROPOSAL) OF HANDLING THE
DEFINITION OF NATIONALITY IN A CONSULAR CONVENTION. IN
SUM, HMG REPS WISHED TO VOICE THEIR CONCERNS BEFORE WE BEGIN
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BERLIN 05124 01 OF 03 271349Z

OUR NEGOTIATIONS. THE BRITISH DESCRIBED THEIR

EXPERIENCE WITH GDR NEGOTIATORS IN DETAIL, AND REQUESTED THAT HMG BE KEPT INFORMED AS OUR NEGOTIATIONS PROCEED SO THEY MAY TAKE APPROPRIATE STEPS TO PRESERVE THEIR POSITION ON THE NATIONALITY CLAUSE. THE US SIDE AGREED TO INFORM THEM. END SUMMARY.

2. DCM AND POLITICAL OFFICER MET WITH BRISH DCM RHODES AND HEAD OF CHANCERY MAC GLASHAN AT THE BRITISH EMBASSY IN BERLIN ON JANUARY 22. THE MEETING WAS CALLED BY RHODES TO INFORM US ABOUT NEGOTIATIONS THE BRITISH HAVE HAD WITH THE EAST GERMANS TO ARRIVE AT A CONSULAR CONVENTION. THE BRITISH WERE FORTHCOMING IN DISCUSSING SUBSTANTIVE POINT, E.G. DEFINITION OF NATIONALITY, AND IN DESCRIBING THE TACTICS OF NEGOTIATING WITH EAST GERMANS. US REPS GAVE THE BRITISH A COPY OF THE GDR DRAFT CONVENTION RECEIVED BY THE DEPARTMENT, AND THE BRITISH SAID THEY WOULD PROVIDE COMMENTS ON ITS BASED ON THEIR EXPERIENCE.

3. SHORT HISTORY OF NEGOTIATIONS. HMG BEGAN NEGOTIATIONS IN APRIL 1974, MORE THAN A YEAR AFTER THE ESTABLISHMENT OF DIPLOMATIC RELATIONS. THE NEGOTIATIONS WERE ADJOURNED ON NOVEMBER 20, 1974, AFTER AN IMPASSE HAD BEEN REACHED WITH REGARD TO THE DEFINITION OF NATIONALITY. THE BRITISH STILL HOPE THAT THEIR PRESENT FORMULAR FOR RESOLVING THIS ISSUE WILL BE ACCEPTABLE TO THE FRG, BUT THEY DO NOT EXPECT A RESPONSE FROM THE FRG IN THE NEAR FUTURE. A SUBSIDIARY POINT IN THE NEGOTIATIONS HAS BEEN THE MATTER OF BRITISH OBSERVERS BEING PRESENT DURING THE TRIAL AND JUDGMENT OF A BRITISH NATIONAL IN EAST GERMAN COURTS. HODES INDICATED THIS WAS A SENSITIVE TOPIC, SINCE SOME TRIALS IN THE UK ARE HELD IN CAMERA AS ARE SOME EAST GERMAN TRIALS.

4. NATIONALITY. MS. MACGLASHAN STATED THAT AGREEMENT ON DEFINITION OF THE WORDS "NATIONALITY" AND "CITIZEN" HAD FINALLY BEEN REACHED WITH THE EAST GERMANS AFTER SOME FOUR HOURS OF DISCUSSION. IT WAS DECIDED TO ACCEPT THE GERMAN WORD "STAATSBUERGER" FOR NATIONAL AND THE CONFIDENTIAL

CONFIDENTIAL

PAGE 03 BERLIN 05124 01 OF 03 271349Z

WORD "BUERGER" FOR CITIZEN. SHE CONFIRMED THAT THE BRITISH GOVERNMENT IS UNABLE TO ACCEPT THE EAST GERMAN DEFINITION OF NATIONALITY WHICH ACCORDS CITIZENSHIP TO EVERYONE LIVING IN THE GDR ACCORDING TO THE LAWS OF THE GDR. SHE SAID THE BRITISH WERE FACED WITH TWO ALTERNATIVES: TO HAVE THE WORDS REMOVED; OR, IT THIS WERE NOT POSSIBLE, TO LEAVE THE WORDS IN BUT MAKE IT CLEAR TO THIRD PARTIES THAT HMG DID NOT AGREE WITH THESE

WORDS. THE SOLUTION WHICH THE BRITISH ARE NOW PROPOSING IS TO MAKE AN ORAL STATEMENT (WHICH THEY ARE WILLING TO PUT INTO WRITTEN FORM FOR THIRD PARTIES SUCH AS THE FRG, AND TO MAKE PUBLIC) TO THE EFFECT THAT THE BRITISH GOVERNMENT DOES NOT AGREE WITH THE DEFINITION OF A NATIONAL AS CONTAINED IN THE DRAFT CONSULAR CONVENTION. IT WAS ON THIS POINT THAT THE NEGOTIATIONS WERE ADJOURNED IN NOVEMBER 1974. THE QUESTION OF FRG ACCEPATANCE OF THIS FORMULATION IS PENDING.

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 BERLIN 05124 02 OF 03 271357Z

46

ACTION L-01

INFO OCT-01 SS-14 ISO-00 EUR-08 NSC-05 NSCE-00 SCA-01 SP-02

INR-05 CIAE-00 IO-03 RSC-01 PM-03 DODE-00 /044 W

----- 050325

R 271141Z JAN 75

FM AMEMBASSY BERLIN

TO SECSTATE WASHDC 295

INFO USMISSION USBERLIN

AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

USMISSION NATO

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY VIENNA

C O N F I D E N T I A L SECTION 2 OF 3 BERLIN 5124

LIMDIS

5. CONSULTATION WITH FRG: THE BRITISH REPRESENTATIVES STATED THEY HAD PROVIDED TEXTS OF THE EAST GERMAN AND BRITISH DRAFTS OF THE CONSULAR CONVENTION FREELY TO APPROPRIATE OFFICIALS OF THE FRG FOR COMMENT. THEY SAID THE BRITISH GOVERNMENT HAS, IN FACT, WORKED HAND IN GLOVE WITH THE FRG THROUGH ITS EMBASSY IN BONN DURING THE COURSE OF THESE NEGOTIATIONS. THE SOLUTION PROPOSED BY THE BRITISH TO THE PROBLEM OF THE DEFINITION OF NATIONALITY WAS PROVIDED TO THE FRG

IN A BRITISH AIDE MEMOIRE IN SEPTEMBER 1974. THE AIDE MEMOIRE ALSO STATES THAT THE BRITISH GOVERNMENT WOULD ALLOW FRG CONSULAR ACCESS TO THOSE GERMANS COMING UNDER BRITISH SOVEREIGN CONTROL IF THE PERSONS INVOLVED ASKED FOR IT. THE FRG POSITION HAS BEEN THAT SUCH A FORMULATION IS NOT ACCEPTABLE TO THEM SINCE IT IS IN CONTRAVENTION OF ARTICLE 116 OF THE WEST GERMAN BASIC LAW (GRUNDGESETZ). THE BRITISH AT ONE TIME HOPED THAT AN FRG RESPONSE TO THE AIDE MEMOIRE WOULD

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BERLIN 05124 02 OF 03 271357Z

BE FORTHCOMING, BUT THAT HOPE HAS EVAPORATED WITH TIME, AND THEY NOW HAVE NO IDEA WHEN THE FRG WILL RESPOND. CONSEQUENTLY, THEIR NEGOTIATIONS OVER THE CONSULAR CONVENTION ARE ADJOURNED.

6. ATTITUDE OF GDR REPS ON NATIONALITY QUESTION. THE BRITISH REPRESENTATIVES MADE CLEAR THEIR BELIEF THAT THE EAST GERMAN ATTITUDE TOWARD THE DEFINITION OF NATIONALITY IN THE DRAFT CONSULAR CONVENTION IS UNSHAKEABLE, AND REPRESENTS THE MAJOR REASON FOR THE GDR WISHING TO CONCLUDE CONSULAR CONVENTIONS WITH WESTERN POWERS. GDR INSISTENCE ON A DEFINITION OF NATIONALITY WHICH INCLUDES GIVING STATUS TO ALL RESIDENTS OF THE GDR AS NATIONALS OF THE GDR, PARTICULARLY WHILE ABROAD, IS A GDR SINE QUA NON FOR CONCLUSION OF THE CONVENTION. THE GDR REPS RESPONDED ORALLY TO THE BRITISH PROPOSAL FOR QUALIFYING THE DEFINITION OF NATIONALITY WITH THIRD COUNTRIES BY STATING CATEGORICALLY THAT THE GDR COULD NOT RECOGNIZE ANY SUCH STATEMENT IF IT WERE NOT A PART OF THE CONVENTION.

7. BRITISH ATTITUDE TOWARD CONSULAR CONVENTION.

RHODES DESCRIBED BRITISH INTEREST IN CONCLUDING A CONSULAR CONVENTION AS BEING DOWN THE LINE IN THE LIST OF PRIORITIES. HE STATED THAT MATTERS OF CLAIMS, ROAD TRANSPORT, TRADE AND CULTURAL ACTIVITIES RANKED BEFORE THE CONSULAR CONVENTION. THE BRITISH HAVE, IN FACT, MADE SOME PROGRESS IN AT LEAST OPENING THE DISCUSSION ON CLAIMS AND ON CULTURAL ACTIVITIES. IN ADDITION TO A SATISFACTORY RESOLUTION OF THE PROBLEM OF NATIONALITY DESCRIBED ABOVE, A MAIN BRITISH INTEREST IN CONCLUDING A CONSULAR CONVENTION IS TO OBTAIN ACCESS TO BRITISH NATIONALS WHO MAY BE INCARCERATED IN EAST GERMANY. DURING THE NEGOTIATIONS ON THE CONVENTION THE BRITISH HAVE AGREED TO A NOTIFICATION AND ACCESS PROCEDURE FOR ARRESTED BRITISH NATIONALS IN THE GDR WHICH COULD TAKE UP TO FOUR DAYS BEFORE ACCESS WOULD

BE GRANTED (RHODES INDICATED SOME PERSONAL RESERVATIONS
THAT THE PROCEDURE WOULD ACTUALLY WORK). THEY HAVE
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 BERLIN 05124 02 OF 03 271357Z

NOT SUCCEEDED IN OBTAINING EAST GERMAN AGREEMENT TO
THE PROPOSAL THAT BRITISH OBSERVERS ATTEND TRIALS OF
BRITISH NATIONALS IN EAST GERMANY OR THAT SUCH
OBSERVERS BE PRESENT WHEN THE SENTENCE IS PRONOUNCED.
THE BRITISH REPS REPORTED THAT CHIEF EAST GERMAN
NEGOTIATOR KLOBES PUT THE MATTER IN A NUTSHELL WHEN
HE SAID, IN THE COURSE OF A LATE EVENING SOCIAL
EVENT, THAT "WHAT WE WANT IS THE DEFINITION OF
NATIONALITY IN THE CONVENTION, AND WHAT YOU WANT IS
ACCESS TO BRITISH NATIONALS ARRESTED IN EAST GERMANY."
IT WAS OUR IMPRESSION THAT THE BRITISH WOULD BE
PREPARED TO FOREGO A CONSULAR CONVENTION IF THEIR
PROPOSAL FOR RESOLVING THE NATIONALITY QUESTION PROVES
UNACCEPTABLE TO THE FRG, ALTHOUGH THIS WAS NEVER STATED
EXPLICITLY.

8. TACTICS OF GDR REPS. THE BRITISH REPS RECOMMENDED
THAT IT NEGOTIATIONS WITH THE GDR THE U.S. SIDE
EMPHASIZE FROM THE OUTSET THAT ALL AGREEMENTS REACHED
IN THE COURSE OF NEGOTIATIONS ARE AD REFERENDUM, AND
THAT THIS POINT BE STRESSED REPEATEDLY DURING HE
NEGOTIATIONS THEMSELVES. BRITISH EXPERIENCE SUGGESTS
THAT THE EAST GERMANS DO NOT APPRECIATE THE "WESTERN
STYLE" OF REFERRING ALL NEGOTIATIONS BACK TO GOVERNMENTS
FOR FINAL DECISION. THE BRITISH WERE REPEATEDLY
EMBARRASSED BY THE EAST GERMANS WHEN HMG FOUND IT
NECESSARY TO CHANGE WORDING WHICH HAD PREVIOUSLY BEEN
AGREED AD REFERENDUM IN DRAFT FORM. THE EAST GERMAN
SIDE ADOPTED THE TACTIC OF BECOMING RUDE ON OCCASION,
STATING CRUELY THAT THE BRITISH GOVERNMENT HAD GONE
BACK ON ITS WORD IN TRYING TO CHANGE WHAT HAD ALREADY
BEEN AGREED IN THE DRAFT TEXT. "HOW CAN WE NEGOTIATE
WITH PEOPLE LIKE YOU?" KLOBES WOULD SAY IN ANGER.
THE BRITISH SOON LEARNED TO SLOUGH THIS OFF. IN THIS
CONNECTION, IT IS ALSO IMPORTANT TO STATE THAT "NOTHING
IS AGREED UNTIL ALL IS AGREED," I.E. UNTIL THERE IS A
FULLY ACCEPTABLE DRAFT IN ALL RESPECTS. THE BRITISH
IMPRESSION IS THAT WHEN EAST GERMAN NEGOTIATORS SAY "YES"
AT THE NEGOTIATING TABLE THEY ARE REFLECTING A FIRM,
FULLY-CLEARED POSITION WITHIN THE EAST GERMAN
BUREAUCRACY. THE GDR REPS APPEARED, HOWEVER, NOT TO
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 BERLIN 05124 02 OF 03 271357Z

UNDERSTAND WHEN THE BRITISH SIDE REQUESTED THE REOPENING
OF A PARTICULAR SUBJECT WHICH THE GDR REPS BELIEVED
HAD ALREADY BEEN AGREED. WHEN ASKED IF A GERMAN "NO"
AT THE NEGOTIATING TABLE ALSO IMPLIED A FIRM NO, THE
BRITISH SAID THAT ONLY IN THE CASE OF NATIONALITY WERE
THEY OF THE OPINION THAT THE "NO" WAS A CATEGORICAL ONE.
IN SUM, THE BRITISH REPS WERE OF THE VIEW THAT IN MOST
CASES AN EASTGERMAN "NO" COULD LEAVE A MATTER OPENING FOR FURTHER
DISCUSSION.

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 BERLIN 05124 03 OF 03 271435Z

46

ACTION L-01

INFO OCT-01 SS-14 ISO-00 EUR-08 NSC-05 NSCE-00 SCA-01 SP-02

INR-05 CIAE-00 IO-03 RSC-01 PM-03 DODE-00 /044 W

----- 050751

R 271141Z JAN 75

FM AMEMBASSY BERLIN

TO SECSTATE WASHDC 296

INFO USMISSION USBERLIN UNN

AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

USMISSION NATO

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY VIENNA

C O N F I D E N T I A L SECTION 3 OF 3 BERLIN 5124

LIMDIS

9. EAST GERMAN NEGOTIATOR KLOBES. THE BRITISH REPS
DESCRIBED HERR LOBES AS A VERY COMPETENT MAN, AN
EXPERT IN CONSULAR LAW AND PRACTICE. IN SOCIAL CONVER-
SATION KOBES CAN BE CHARMING AND A GOOD CONVERSATIONALIST.
HE IS EXTREMELY TOUGH AT THE NEGOTIATING TABLE, HOWEVER,
CAPABLE OF LOSING HIS TEMPER, SHOUTING AND NEARLY GOING
INTO A TANTRUM. THEY OBSERVED THE
FOLLOWING TRAITS IN KLOBES: HE IS NOT USED TO

NEGOTIATING WITH WESTERNERS AND SOMETIMES APPEARED ILL AT EASE DURING THE NEGOTIATIONS: HE APPEARED TO OVER-ESTIMATE WHAT THE OTHER SIDE HAD AGREED TO AND ONLY LATER, BACK IN HIS OFFICE OR IN DISCUSSIONS WITH OTHER EAST GERMAN NEGOTIATORS, DID HE SEEM TO FULLY APPRECIATE THE LIMITS ON WHAT HAD BEEN AGREED: HE IS FIRMLY DEDICATED TO THE GDR AND ITS SYSTEM; HE DOES NOT SPEAK OR UNDERSTAND ENGLISH: HE IS PROBABLY NOT VERY WELL IN TERMS OF HIS HEALTH. WHEN ASKED IF KLOBES ATTEMPTED TO SUGGEST ANY "DEALS" IN PRIVATE CONVERSA--
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BERLIN 05124 03 OF 03 271435Z

TION WITH THE HEAD OF THE BRITISH NEGOTIATING TEAM, THE BRITISH REPS SAID THERE HAD BEEN SEVERAL SUCH MEETINGS BUT THAT NO "DEALS" HAD BEEN PROPOSED IN THEM. THE BRITISH REPS SAID ANY HINTS ABOUT "DEALS" INVOLVING OTHER THAN CONSULAR MATTERS WERE MADE BY THE EAST GERMAN REPS "ACROSS THE TABLE." THE EAST GERMAN DELEGATION IN GENERAL WAS LARGE AND OUTNUMBERED THE BRITISH BY 2 OR 3 TO 1 AT EACH MEETING. THEY ATTEMPTED TO MAKE USE OF THEIR NUMBERS AS A MEANS OF INTIMIDATION, AND WOULD OFTEN RAISE THEIR VOICES OR RESPOND IMMEDIATELY AND STRONGLY TO A SENSITIVE POINT MADE BY THE BRITISH. WHILE THE BRITISH FELT UNDER CONSIDERABLE PRESSURE DURING THE NEGOTIATIONS, ONCE THEY ACCEPTED THE EAST GERMAN TACTICS FOR WHAT THEY WERE, I.E, RUDE AND BLUSTERING BEHAVIOR INTENDED TO EMBARRASS, THE HMG REPS GOT ALONG RATHER WELL. EACH CAPITAL HOSTED AT LEAST ONE SOCIAL EVENT FOR THE NEGOTIATORS. AT AN AFFAIR IN BERLIN LASTING INTO THE EARLY MORNING HOURS, THE GERMANS CONFIRMED THAT THE ADAGE "IN VINO VERITAS" IS NOT DEAD.

10 BRITISH EXPERTISE. THE BRITISH REPS HAD STRONG PRAISE FOR THEIR CHIEF NEGOTIATOR RODNEY BATSTONE, A CIVIL SERVANT IN THE LEGAL SECTION OF FCO, WHO IN HIS PRESENT POSITION IS ASSOCIATED BOTH WITH THE GEOGRAPHICAL AREA OF EUROPE AND WITH THE TREATY AFFAIRS SECTION OF THE FOREIGN OFFICE. BATSTONE SPEAKS GERMAN FLUENTLY, HAS STUDIED LAW IN MUNICH, WAS LEGAL ADVISER AT THE BRITISH MISSION IN BERLIN IN THE MID-SIXTIES AND WAS OF INESTIMABLE HELP TO THE BRITISH NEGOTIATING TEAM. DCM GROVE SAID HE KNEW BATSTONE WELL AND FAVORABLY FROM EARLIER DAYS IN BERLIN.

11. BROAD BRITISH VIEW. THE BRITISH SAID THAT SEVERAL TIMES DURING THE NEGOTIATIONS, AND AGAIN JUST BEFORE THE NEGOTIATIONS WERE ADJOURNED LAST YEAR, THEY HAD STATED TO THE EAST GERMANS THAT THE UNITED KINGDOM, AS ONE OF THE WESTERN ALLIES IN WORLD WAR II, CONTINUED TO

HAVE SPECIAL RESPONSIBILITIES FOR ALL OF GERMANY.
THE IMPLIED IN THIS THE SIMILAR SPECIAL RESPONSIBILITIES
OF BOTH THE UNITED STATES AND FRANCE. THE EAST GERMANS
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 BERLIN 05124 03 OF 03 271435Z

HAD ACCEPTED THIS STATEMENT WITHOUT COMMENT.

12. BRITISH ADVISE. THE BRITISH STRESSED THROUGHOUT
OUR CONVERSATION THAT THE US SHOULD REACH A FIRM
CONCLUSION ABOUT ITS POSITION CONCERNING THE DEFINITION
OF NATIONALITY IN THE PROPOSED US-GDR CONSULAR CONVENTION
BEFORE NEGOTIATIONS BEGIN. THEY FURTHER STATED THEIR
BELIEF THAT WE SHOULD HOLD TO THE DEFINITION OF
NATIONALITY WHICH WE COULD ACCEPT, AND BE PREPARED TO
BE FIRM ON THIS POINT. THEY FORESAW THE POSSIBILITY
THAT OUR NEGOTIATIONS COULD IMPINGE UPON THEIRS, AS
BOTH WILL BE TAKING PLACE CONCURRENTLY. THEY SUGGESTED
THAT THE USG KEEP HMB INFORMED ABOUT OUR NEGOTIATIONS,
WITH PARTICULAR REFERENCE TO THE SUBJECT OF NATIONALITY
AS DEFINED IN THE DRAFT CONVENTION. THE US SIDE AGREED.
THEY ARE CLEARLY CONCERNED THAT THE US POSITION ON
THIS MOST BASIC POINT WILL HAVE A DIRECT EFFECT UPON
WHAT IS ACCEPTABLE TO THE EAST GERMANS IN THEIR
NEGOTIATIONS WITH THE BRITISH. THEY STATED, IN EFFECT,
THAN EVEN IF THE FRG COULD AGREE TO THE PROPOSED
BRITISH SOLUTION ON THIS POINT, THE GDR GOVERNMENT
PROBABLY IS NOT NOW PREPARED TO CONTINUE NEGOTIATIONS
WITH THE BRITISH UNTIL IT KNOWS WHAT THE US POSITION
ON NATIONALITY IS. THEY SAID THAT IF WE MAKE
CONCESSIONS ON NATIONALITY, WE SHOULD EXACT A VERY
HEAVY PRICE IN RETURN-- LITERALLY ON ALL OTHER POINTS,
AS THIS IS THE OVERRIDING GDR INTEREST.

13. POINTS NOT COVERED. WE DID NOT GET INTO ANY
DISCUSSION OF DUAL NATIONALITY, WHICH MAY BE LESS OF
A PROBLEM TO THE BRITISH THAN TO OTHERS SUCH AS THE
AUSTRIANS. THE QUESTION OF DUAL NATIONALITY WAS
APPARENTLY NOT DIFFICULT FOR THE BRITISH DURING THE
NEGOTIATIONS. WE DID NOT DISCUSS SHIPPING MATTERS,
ALTHOUGH RHODES SAID THERE HAD BEEN A PROBLEM CONCERNING
THE JURISDICTION OF COURTS WITH REGARD TO CRIMES COMMITTED
ABOARD SHIP.

14. FURTHER EXCHANGE OF INFORMATION. WE PRESENTED THE
BRITISH A COPY OF THE GDR DRAFT CONSULAR CONVENTION
WITH THE REQUEST THAT THEY STUDY IT IN LIGHT OF THEIR
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 BERLIN 05124 03 OF 03 271435Z

EXPERIENCE. THE BRITISH ACCEPTED THE DOCUMENT WITH THANKS, SAYING THEY WOULD ANALYZE IT AND GIVE US THEIR THOUGHTS. THEY CONFIRMED THAT THE DEFINITION OF "CITIZEN" CONTAINED IN CHAPTER I, ARTICLE 1, PARAGRAPH 2 IS THE SAME AS THAT CONTAINED IN THE EAST GERMAN DRAFT PRESENTED TO THEM--AND IS OBVIOUSLY NOT AN ACCEPTABLE DEFINITION OF A CITIZEN.

15. COMMENT. THE BRITISH HAVE MADE CLEAR THEIR INTEREST IN THE COURSE OF US-GDR NEGOTIATIONS, EMPHASIZING THEIR STAKE IN WHERE WE COME OUT ON THE BASIC ISSUE OF NATIONALITY. WE BELIEVE IT SOUND AND APPROPRIATE TO KEEP THE BRITISH INFORMED OF OUR VIEWS AND PROGRESS IN NEGOTIATIONS. WE WILL PREPARE OUR THOUGHTS ON SOME OF THE ISSUES IN THESE TALKS IN A SEPARATE MESSAGE, BUT WISH TO RECORD HERE THAT WE HAVE SOME RESERVATIONS ABOUT THE TACTIC THE BRITISH HAVE ADOPTED TO RESOLVE DIFFERENCES OVER NATIONALITY.COOPER

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CONSULAR AGREEMENTS, MEETINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 27 JAN 1975
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975BERLIN05124
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: X1
Errors: N/A
Film Number: D750029-0719
From: BERLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750119/aaaaaqjn.tel
Line Count: 459
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: LIMDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 9
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: LIMDIS
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 02 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <02 APR 2003 by MartinML>; APPROVED <03 APR 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CONSULAR CONVENTION: BRITISH NEGOTIATING EXPERIENCE
TAGS: PFOR, PINT, GC, GE, UK, US
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006